

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 309 - SB 695

March 3, 2013

SUMMARY OF BILL: Authorizes magistrates to impose new restrictions and conditions upon the release of a defendant, if the local legislative body passes a resolution declaring that public safety requires such restrictions and conditions. Requires the chief law enforcement officer to certify the resolution, and recertify every 30 days. Requires the local legislative body to renew the resolution every six months.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$50,000/Permissive


Assumptions:

- The provisions of the bill are permissive to local government.
- According to the Tennessee Bureau of Investigation (TBI), this bill will not fiscally impact the Agency.
- According to the Administrative Office of the Courts (AOC), this bill will not fiscally impact the Agency.
- Any vote required could be accommodated during a regularly scheduled meeting of the local legislative body.
- According to County Technical Assistance Service (CTAS), the additional conditions of release could result in: additional time the defendant is housed in county jails; additional monitoring of defendants with the use of Global Positioning System (GPS) devices; and additional drug tests being conducted.
- Based on responses to the 2012 Local Government Survey conducted by the Fiscal Review Committee, excluding responses from Davidson and Shelby Counties, participating county officials reported the average daily cost of housing an inmate at a local jail is \$50.79, and costs for GPS monitoring devices and related services for tracking individuals varies based on contracts and companies used by local governments; however the average cost is approximately \$10 per day per individual.
- According to the Corrections Institute, costs for drug tests depend on several factors including geographic distance between the facility administering the test and the facility analyzing the results of the test, as well as what type of drug panel is being conducted. Five-panel drug tests cost approximately \$4 each.

- Due to multiple unknown factors, including but not limited to, how many counties will opt to use the additional conditions for release, how many defendants will be declared a risk to public safety, the newly-adopted conditions applied to any defendant, and the length of time any new condition for release will be utilized, a precise impact for local government expenditures is difficult. However, the permissive recurring increase in local government expenditures is reasonably estimated to exceed \$50,000 per year statewide.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jrh